

April 13, 2000

Brig. Gen. Carl A. Strock
U.S. Army Corps of Engineers
Northwestern Division
P.O. Box 2870
Portland, Oregon 97208-2870

Mr. J. William McDonald
Regional Director
U.S. Bureau of Reclamation
Pacific Northwest Regional Office
1150 N. Curtis Road
Boise, Idaho 83706-1234

Ms. Judith Johansen
Administrator
Bonneville Power Administration
911 NE Eleventh Avenue
Portland, Oregon 97232

Dear Gen. Strock, Mr. McDonald, and Ms. Johansen:

This letter acknowledges that the U.S. Army Corps of Engineers, Bonneville Power Administration, and the Bureau of Reclamation (Action Agencies) are actively engaged in formal consultation under ESA §7(a)(2) with NMFS on the effects of Federal Columbia River Power System (FCRPS) operations on 12 species of threatened or endangered salmon and steelhead. The National Marine Fisheries Service (NMFS) is currently preparing a biological opinion to consider effects of FCRPS operations on survival and the potential for recovery of these species. A draft opinion will be referred to the regional fisheries co-managers for comment on May 22, 2000.

Since juvenile salmonids have already begun to pass lower Snake River projects and will soon be arriving at the Lower Columbia projects, we have agreed that revised spring and summer operations should be implemented immediately to maximize the contribution of these additional

measures to survival and recovery. This letter and the enclosed spill plan are to document our agreement. This plan was developed in consultation with NMFS after discussion with State and Tribal co-managers. It is consistent with the adaptive management principles of the 1995 Biological Opinion. In addition to immediate implementation, the enclosed spill plan will be incorporated into the May 22, 2000, draft FCRPS Biological Opinion.

The NMFS has determined that implementation of the enclosed spill plan will improve project passage for juvenile migrants and increase the survival of listed salmon affected by operation of the FCRPS relative to the spill measures set forth in the Reasonable and Prudent Alternative in the 1995 FCRPS Biological Opinion and the proposed action in the 1998 Supplemental FCRPS Biological Opinion. Support for this determination can be found in the March 16, 2000, draft Biological Effects Team Report, that was distributed to the affected States and Tribes by letter of March 20, 2000, and used as a basis for discussion with at subsequent meetings on March 21, April 3, April 5, April 6 and April 7.

We appreciate your help in the development and early implementation of these important measures and look forward to prompt receipt of your written concurrence.

Thank you.

Sincerely,

A handwritten signature in black ink that reads "Brian J. Brown". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

Brian J. Brown
Assistant Regional Administrator
Hydro Division

cc: Bill Yallup, Yakama Indian Nation
Keith Tinno, Shoshone-Bannock Tribes of Fort Hall
Wanda Johnson, Burns Paiute Tribe
Fred Matt, Confederated Salish and Kootenai Tribes of the Flathead Reservation
Joseph Pakootas, Confederated Tribes of the Colville Reservation
Antone Minthorn, Confederated Tribes of the Umatilla Indian Reservation
Bruce Wynne, Spokane Tribes of Indians
Velma Bahe, Kootenai Tribe of Idaho
Olney Patt, Confederated Tribes of the Warm Springs Reservation of Oregon
Glen Nenema, Kalispel Tribe
Marvin Cota, Shoshone-Paiute Tribes of the Duck Valley Reservation
Samuel Penney, Nez Perce Tribe
Ernie Stensgar, Coeur d' Alene Tribe
Donald Sampson, Columbia River Inter-Tribal Fish Commission
Ron Boyce, Oregon Department of Fish and Wildlife
Jim Yost, Governor's Office-Idaho
James Litchfield, Representative for the State of Montana
John Sisk, Alaska Department of Fish and Game
Jim Nielsen, Washington Department of Fish and Wildlife
Fred Olney, USFWS
Mary Lou Socia, EPA

bcc: Hydro Files
Reading Files

C:\hydroweb\Spill2000Draft2.wpd
April 12, 2000 (3:45pm)

April 7, 2000

Spill Plan Agreement
Federal Columbia River Power System – NMFS Biological Opinion

Lower Granite: No change in the base spill operation as defined in the 1998 Supplemental Biological Opinion, except that the 2000 operation has already been modified for the purposes of the surface collector evaluation. That evaluation, which requires a fixed spill level of 20% for 24 hours per day, will continue as planned in 2000. Beyond the requirements of that evaluation, spill should revert to the base operation.

Little Goose: No change in the base spill operation as defined in the 1998 Supplemental Biological Opinion.

Lower Monumental: Implement 24 hours spill to the dissolved gas cap. This is new base operation that replaces the base operation defined in the 1998 Supplemental Biological Opinion.

Ice Harbor: No change in the base spill operation as defined in the 1998 Supplemental Biological Opinion.

McNary: No change in the base spill operation as defined in the 1998 Supplemental Biological Opinion.

John Day*: No change in base spill operation as defined in the 1998 Supplemental Biological Opinion. Continue daytime spill study by varying spill between 0 and 30% in three day blocks. Days of 30% spill are to correspond to days of 75 kcfs day spill at Bonneville Dam. The study should address effects of 30% daytime spill on delay and survival of juvenile migrants and delay of adults. The study operation should continue throughout the migration period in 2000 and 2001.

The Dalles*: Reduce spill from 64% to 40% for 24 hours each day. This is new base operation that replaces the base operation defined in the 1998 Supplemental Biological Opinion. Implement planned project survival studies in 2000 and 2001.

Bonneville*: No change in base spill operation as defined in the 1998 Supplemental Biological Opinion. Initiate daytime study with increased spill, varying between 75 kcfs and the dissolved gas cap in three day blocks. Days of gas cap spill are to correspond to days of 0 daytime spill at John Day Dam. The study should address effects of increased daytime spill on adult fallback and the delay and survival of juvenile migrants and the study operation should continue throughout the season in 2000 and 2001.

* The passage and survival studies described above at John Day, the Dalles and Bonneville are intended to test potential means of increasing juvenile fish project survivals in the future. Further modifications to operations to implement improvements that are suggested by the studies in 2002 and beyond may be limited pending transmission system improvements that are expected

to come on line by 2005.